

# Exhibit C

*Parties and counsel listed on signature pages*

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION**

IN RE: SOCIAL MEDIA ADOLESCENT  
ADDICTION/PERSONAL INJURY PRODUCTS  
LIABILITY LITIGATION

THIS FILING RELATES TO:

ALL ACTIONS

MDL No. 3047

Case No. 4:22-md-03047-YGR

Honorable Yvonne Gonzalez Rogers

Magistrate Judge: Hon. Peter H. Kang

**[PROPOSED] ORDER MODIFYING  
BELLWETHER PLAINTIFF  
ELIGIBILITY CRITERIA AND  
SETTING PROCESS FOR ASSERTING  
LEXECON OBJECTIONS**

1 On February 27, 2024, this Court ordered certain eligibility criteria to be included in the Personal  
2 Injury (“PI”) and School District and Local Government Entity (“SD/GE”) Bellwether Discovery Pools.  
3 See Case Management Order No. 11 (ECF 646). The definition of “self-harm” set forth in those criteria  
4 is hereby MODIFIED as follows:

5 ... d) self-harm (self-harm, suicidality, suicide attempt(s), or suicide) ...

6  
7 On February 8, 2024, this Court set a deadline of April 15, 2024 for the Parties to identify their  
8 Bellwether Discovery Pool picks; a hearing on Bellwether Discovery Pools on April 19, 2024; and a  
9 deadline for Bellwether Discovery Pool Plaintiffs to file *Lexecon* objections by April 25, 2024. The  
10 Court now hereby ORDERS the following process for Bellwether Discovery Pool Plaintiffs to exercise  
11 *Lexecon* objections:

12  
13 Any Plaintiff selected by the Parties by April 15th for the Bellwether Discovery Pools  
14 who wishes to assert a *Lexecon* objection to their case being tried by the Court must file an  
15 objection in writing by April 25. If the Court selects additional Plaintiffs for the Bellwether  
16 Discovery Pools, any Plaintiff so selected who wishes to assert a *Lexecon* objection to their case  
17 being tried by the Court must file an objection in writing seven (7) days after being selected by  
18 the Court. If no objection is filed by the relevant deadline, a Plaintiff will be deemed to have  
19 waived any rights under *Lexecon* and to have agreed to have their case tried by this Court.  
20 Likewise, Defendants must file any *Lexecon* objection(s) in writing with the Court by the same  
21 deadlines, respectively, or be deemed to have waived any rights.

22 If an objection is asserted and counsel dispute that the objecting party has a right to assert  
23 an objection under *Lexecon*, the Parties will immediately present the issue to the Court for  
24 resolution. If the Parties do not dispute the objection or if the Court sustains the *Lexecon*  
25 objection, then the claim will be deemed removed from the respective Bellwether Discovery  
26 Pool. In that event, if the Plaintiff was a pick by one of the two sides, the side that made the pick  
27 will have three (3) business days to select a replacement case of the same type as the case in  
28

1 which the objection was served (i.e., personal injury case or school district/governmental entity  
2 case); if the Plaintiff was selected by the Court, the Court will select another case of the same  
3 type as the case in which the objection was served (i.e., PI or SD/LG case). *Lexecon* objections  
4 other than those for claims selected for trial in this Court under the bellwether protocol are  
5 preserved. Thus, if a claim in the respective Bellwether Discovery Pool is not selected for trial,  
6 then the Court will restore the rights of the Plaintiff and Defendants in that claim to object to  
7 venue and jurisdiction in the Northern District of California for purposes of trial.

8  
9 **IT IS SO ORDERED.**

10  
11 Dated: \_\_\_\_\_

\_\_\_\_\_  
JUDGE YVONNE GONZALEZ ROGERS

DATED: March 15, 2024

Respectfully Submitted,

/s/ Lexi J. Hazam

LEXI J. HAZAM

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